

**UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JEFFREY FARKAS, M.D., LLC,

Plaintiff,

Case No.: 21-C V-01402-(JF)

-against-

**NOTICE OF PRE-ANSWER  
MOTION TO DISMISS**

OMNI ADMINSTRATORS INC. d/b/a/ LEADING  
EDGE ADMINISTRATORS,

Defendants.

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**COUNSELORS:**

PLEASE TAKE NOTICE, that upon the annexed declaration of Kenneth C. Murphy, Esq., affirmed the 7<sup>th</sup> day of May, 2021, together with the exhibits attached thereto, the accompanying memorandum of law of Defendant, Omni Administrators Inc. d/b/a Leading Edge Administrators (“LEA”), dated May 7, 2021, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court at the Thurgood Marshall United States Courthouse at 40 Foley Square New York, NY 10007 on the 7<sup>th</sup> day of June, 2021 at 9:30 o’clock in the forenoon of that day or as soon thereafter as counsel can be heard and at the convenience of this Honorable Court, for an Order: (a) pursuant to Rule 12(b)(6) dismissing Count I and Count II of Plaintiff’s Complaint; and (b) granting LEA such other and further relief as this Court deems just and proper.

Respectfully Submitted,

RIVKIN RADLER LLP  
Attorneys for Defendant

By: *Kenneth C. Murphy*  
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Dated: May 7, 2021